



TEXAS DEPARTMENT OF AGRICULTURE

**Unified Scoring
Committee (USC) Charter**

Texas Community Development Block Grant Program

UNIFIED SCORING COMMITTEE CHARTER

Executive Summary

Overview

The Texas Department of Agriculture (TDA) administers the non-entitlement portion of the Texas Community Development Block Grant Program (TxCDBG), which provides financial assistance to cities with populations of less than 50,000 and counties with population under 200,000. At the federal level, the funds are allocated under the Community Development Block Grant (CDBG) Program by the U.S. Department of Housing and Urban Development (HUD). TxCDBG funding is a key federal source of funding that provides direct grant assistance to rural areas for public infrastructure improvements, disaster relief, housing, and economic development.

HUD Planning Process and Consultation

The HUD Planning Cycle is centered around a 5 year Consolidated Plan that identifies the needs of the state and the goals of the four HUD Community Development and Planning programs – CDBG, HOME, Emergency Solutions Grants to address homelessness, and Housing Opportunities for Persons With AIDS (HOPWA). This planning process, along with the related planning components, requires consultation with local stakeholders. The Community Development Fund is designed to support the goals of the current Consolidated Plan.

Each year, an Action Plan is developed that provides an estimate of the annual allocation, funding categories, and the method that the state will use in distributing the funding. TxCDBG annually funds approximately one-third of the applications received for a two-year cycle.

Community Development Fund

The Community Development (CD) Fund is the largest TxCDBG funding category. The CD Fund is available on a biennial basis for funding through an annual application competition in each of the 24 state planning regions. The CD Fund application cycle will be based on a scoring methodology that considers objective factors for selection and ranking of applicants for funding.

The maximum score for a CD Fund application will be 200 points in all regions. These points are assigned in three ways:

- 65% of the points are assigned based on objective criteria adopted by the Unified Scoring Committee;
- 25% of the points are assigned based on the Regional Project Priorities selected by the governing board, or a designated committee, of each state planning region; and
- 10% of the points are assigned based on State Scoring factors adopted by TDA.

Role of the Unified Scoring Committee (USC)

The role of the USC is to establish scoring criteria that will be used to select applicants for funding under the CD Fund. The USC process begins with a meeting to obtain public input related to the needs of the non-entitlement communities, which may be considered by the USC in determining objective scoring factors. The USC will conduct a public meeting to accept public comment, formally adopt the scoring criteria, and establish the point values assigned to each scoring factor.

The USC decisions will be compiled to document the following:

- Objective scoring factors,
- Numerical value of points assigned to each scoring factor,
- Scoring methodology – indicating how responses will be scored, and
- Data sources verifiable to the public.

TxCDBG Responsibilities

TxCDBG staff are responsible for supporting the USC through technical assistance and administrative support.

TxCDBG staff are also responsible for reviewing all applications for completeness and eligibility, scoring and ranking applications within each region, and recommending applications for funding.

UNIFIED SCORING COMMITTEE CHARTER

I. Organization of the USC

The USC will consist of twenty-four (24) members appointed by the Commissioner of the Texas Department of Agriculture. In addition, the Commissioner may also designate a member of the TDA Executive staff to serve as a non-voting Committee chairperson. Each state planning region is invited to nominate one USC member for appointment. USC members serve at the pleasure of the Commissioner and serve until replaced.

II. Procedural Requirements of the USC

A. Public Hearing at the USC Meeting to Adopt Objective Scoring Factors.

1. The USC proceedings are subject to the Texas Open Meetings Act.
2. The USC must provide for public comments on the USC meeting agenda prior to any action to adopt final scoring factors.
 - a. The public must be given an opportunity to comment on the priorities and the scoring criteria being considered by the USC.
 - b. The USC may limit the duration of public comment period and length of time for comments.

i. Quorum Required for USC Meeting

1. A public meeting of the USC requires a quorum of thirteen (13) voting members appointed by the Commissioner.
2. If an appointed member has authority provided by local statutes, charter or bylaws to designate another local official to represent that individual at a meeting or before a public body, then that member's designee or proxy may participate in the USC's deliberations for the purpose of meeting a quorum.
 - a. The designee or proxy must be a current elected or appointed official of a non-entitlement community.
 - b. The designee or proxy must be authorized in writing from both the official being represented and the state planning region being represented prior to his/her participation in any USC meeting.
 - c. No local official may serve as a designee or proxy to the appointed member if he/she accepts funds to either prepare TxCDBG grant applications or administer TxCDBG grant contracts for any community other than the community for which he/she serves as an elected or appointed official.

C. Voting on USC Actions

1. A majority of the quorum is required to vote in favor of adoption to pass an action. A local official serving as a member's designee or proxy may NOT vote on a matter at a USC meeting.
2. USC discussions, deliberations and votes must be taken in public and must comply with the Texas Open Meetings Act.

III. Role of the USC - Adoption of Objective Scoring Factors

The USC is responsible for determining objective scoring factors based on public input. The USC shall establish the numerical value of the points assigned to each scoring factor, and the total combined points for all USC scoring factors must equal 130 points.

A. Discuss, Select, and Adopt Scoring Factors

1. A public hearing to discuss priorities and adopt objective scoring criteria is conducted by the USC. The final selection of the scoring factors is the responsibility of the USC.
2. The USC may only adopt scoring factors included in the Verified Scoring Criteria Guide published by TxCDBG in advance of the public hearing. (See Section IV A.)
3. The USC may not adopt scoring factors that directly negate or offset TxCDBG scoring factors.

B. USC Indicates How Responses Will Be Scored and Identify Data Sources

1. The USC must clearly indicate how responses would be scored under each factor and use data sources that are verifiable to the public (See **Verified Scoring Criteria Guide**).
2. After the USC's adoption of its scoring factors, the score awarded to a particular application under any USC scoring factor may not be dependent upon an individual USC member's judgment or discretion. (This does not preclude collective USC action that the state TxCDBG has approved under any appeals process.)

C. USC Selects Tie-Breaker

The USC must select at least one additional scoring factor that will only be considered if a tie score exists within a region, and there are insufficient funds available to fund all applications with the same score.

IV. Role of TxCDBG Staff

A. Support for USC

1. Verified Scoring Criteria

- a. TxCDBG Staff will review factors previously used for CD Fund scoring to ensure that the scoring criteria are in compliance with 24 CFR §91.320(k)(1). That regulation states in part, “The method of distribution must provide sufficient information so that units of general local government will be able to understand and comment on it, understand what criteria and information their application will be judged on, and be able to prepare responsive applications.”
- b. TxCDBG staff will offer an opportunity prior to the USC public hearing for stakeholders to propose new scoring factors to be considered.
- c. TxCDBG staff may determine that certain scoring factors may not be used, because the data is not readily available or would require excessive effort to verify in a timely manner. The state may also establish the maximum number of USC scoring factors that may be used.
- d. TxCDBG staff will publish the Verified Scoring Criteria Guide, from which the USC will select scoring factors, no less than eight (8) days prior to the USC meeting and public hearing.

2. Technical Assistance

- a. In order to give committee members an opportunity to become familiar with the committee procedures and available scoring criteria, a mandatory training session will be provided by TxCDBG staff. The training will cover a brief overview of the TxCDBG program and USC roles and responsibilities for establishing scoring factors, scoring methodology, identifying data sources and other procedures.
- b. TxCDBG staff will provide technical assistance to USC members prior to and during the USC meeting in order to support members’ understanding of the scoring criteria under consideration.

3. Administrative Support to USC

c. Schedule USC public meeting

- i. TDA will coordinate with USC members and establish a USC meeting date for each CD Fund application cycle.
- ii. TDA must notify the public in writing of the date, time and place of the USC meeting at least eight (8) days prior to the public meeting. Notice must be posted in the Texas Register; TDA should also post the notice on the TDA website and notify stakeholders through the TxCDBG email distribution list.
- iii. TxCDBG staff may establish a deadline for the USC to adopt objective factors for all of its scoring components. TxCDBG staff may identify and publish the scoring factors that will be used if the USC does not adopt objective scoring factors by the established date. See Attachment B.

d. Publish scoring factors

- i. Following the USC meeting, TDA will compile the selected scoring factors, including the points available, scoring methodology, and data sources used to verify responses. As part of the compilation process, TxCDBG staff may provide further details or elaboration on the objective scoring methodology, data sources and other clarifying details without the necessity of a subsequent USC meeting.
- ii. TDA will provide a copy of the compiled scoring factors to each member of the USC prior to publication, to allow members to verify that the USC decisions have been accurately recorded.
- iii. TDA will publish the USC scoring factors in the CD Fund Request for Application Guide.

B. Other Scoring Responsibilities of TxCDBG staff

1. State Scoring - TxCDBG will publish State Scoring factors in the CD Fund Request for Application Guide as follows:
 - a. Past Performance on previously awarded contracts - Maximum of 16 Points
 - Timely submission of Close-out reports,
 - Environmental clearance within 6 months of the contract start date,
 - Extension of contracts (i.e., timeliness of completing projects), and
 - Maximum utilization of grant funds awarded
 - b. TxCDBG Priorities, such as early public hearing participation or fair housing activities, as determined by TDA prior to release of the CD Fund Request for Application Guide – Maximum of 4 points
2. Regional Project Priorities
 - a. TxCDBG staff will provide a format and procedures to each state planning region for the selection of Regional Project Priorities.
 - b. TxCDBG staff will collect and compile the project priorities for each state planning region and will publish the priorities as scoring factors in the CD Fund Request for Application Guide.
 - c. TxCDBG staff may establish a deadline for the state planning regions to adopt project priorities and submit the selection for to TDA. TxCDBG staff may identify and publish the project priorities that will be used if the state planning region does not adopt project priorities by the established date.

V. Summary of the Application Process

A. Eligible Applicants Submit CD Fund Applications to TxCDBG

An eligible applicant may submit one application under the CD Fund. The application must be furnished to TxCDBG according to the published application procedures no later than the CD Fund application deadline. The CD Fund application must include all of the information provided in the CD Fund Request for Application Guide for each scoring factor in order to receive the associated points

B. Review of Applications for Completeness and Initial Eligibility

TxCDBG staff will perform a completeness and initial eligibility review of the CD application to determine whether the application is complete and whether all proposed activities are program eligible, have submitted documentation that the activities meet a national objective, and are in compliance with other TxCDBG requirements. Only TxCDBG staff may disqualify a CD Fund application.

C. Scoring and Ranking Applications

Applications will be scored and ranked early by TxCDBG staff. Scores will be calculated based on information provided in the application for all scoring factors, including USC objective scoring factors, State Scoring factors, and Regional Project Priorities.

TxCDBG staff will provide each applicant with its preliminary scores, either individually or through posting on the TDA website. Initial release of scores is preliminary and subject to change. Once finalized, TxCDBG staff is responsible for publishing the final ranking of the applications. Only the applications within funding range will be reviewed further for eligibility.

D. Review of Applications for Completeness and Eligibility

TxCDBG staff will perform a more detailed eligibility review of the CD Fund applications that appear to be within funding range. If the application is complete and not subject to initial disqualification but needs further clarification, staff will contact the applicant for clarification. Clarification responses may not change the project target area, substantially change the project description or project details of the cost justification, provide new beneficiary information, or supplement the application with documents required to be submitted by the application deadline. A response must be submitted to TxCDBG within 10 calendar days from the date of contact.

E. Publication of Final Scores

1. TxCDBG is responsible for publishing the final ranking of the applications on the TDA website.
2. Appeals of funding decisions will be handled in accordance Title 4, Part 1, Chapter 30, Subchapter A, Division 1, of the Texas Administrative Code (TAC).

F. Funding Recommendations - First Year Awards

1. TxCDBG staff will recommend projects for funding based on all scoring factors.
 - a. The highest ranking applications in each state planning region will be recommended for funding until the funds allocated for that region are exhausted.
 - b. If insufficient funds remain to fund the next highest scoring application, or if there are no eligible unfunded applications remaining in a region, TxCDBG staff may reallocate funding the remaining funds to maximize the total number of grants awarded, regardless of region. Only the next highest ranking application in each region will be considered for re-allocated funds.
2. The Commissioner of Agriculture will approve and announce grant awards.

G. TxCDBG Works with the Recipients to Execute Contracts

Upon the announcement of awards, TxCDBG staff will begin working with recipients to prepare and execute contracts. TxCDBG or TDA field staff will make a site visit to each of the applicants recommended for funding to verify information included in the application. These visits will take place prior to the preparation of contracts. While the award must be based on the information provided in the application, TxCDBG may negotiate any element of the contract with the recipient so long as the award amount is not increased and the level of benefits described in the application is not decreased. (Level of benefits may be negotiated only when the projects can only be partially funded with the remainder of the target allocation within a region.)

H. Second Year Awards– Funding Recommendations and Contracting

Steps G and H are repeated once the regional allocations for the second program year in the biennial cycle are known, continuing with the next highest scoring application not funded the previous year.